

**JUDGE TO
GRANT**

**DORSEY'S
REQUEST**

Frank Hearing Will Be
Post-

poned Until the
Solicitor Is

Ready to Make Answer to Petition

Judge L. S. Roan stated last night when informed by The Constitution of Solicitor General Hugh M. Dorsey's desire to postpone the hearing for a new trial for Leo M. Frank that he would grant the postponement without causing the solicitor to appear in person Saturday morning and request the delay. Attorney Luther Z. Rosser, counsel for the convicted man, stated that he would be willing, he believed, for the solicitor to have more time if he needed it. The various statements make it certain now that the hearing will not come off this Saturday.

"It was understood at the postponement last Saturday that Mr. Dorsey was to have a reasonable time which to prepare his answer," said Judge Roan, "and at present I see no reason why I should not postpone the case, should he request it of me."

The defense is not resting its case even now, and it is reported that another one of the Frank jury will be attacked in sensational affidavits, alleging that the third juror was biased before the case went to trial.

Can't Discuss Matter Now.

"I can't discuss the matter now," said Attorney Rosser. "We may, of course, bring other affidavits. We will if we can get them, too, but whether or not we are going to file additional ones I can't say now."

Mr. Rosser appeared perfectly confident over the outcome of the hearing and from his manner of talking about the case gives

the impression that he believes he will have no trouble in securing a new trial, and that without taking the case to the supreme court.

Solicitor Dorsey and his assistant, E. A. Stephens, who have been in Valdosta since last Sunday, are said to be devoting practically their entire time to preparing an answer to the 115 reasons cited by the defense for a new trial. In the meantime the Fulton superior court is without a solicitor and the grand jury, which was expected to meet this week, will not be called together until later, possibly after the disposition by the superior court of the Frank motion.

Jurors A. H. Henslee and Marcus Johenning are the ones attacked at present. Three people have submitted affidavits alleging bias on the part of Johenning, while many more than that have attacked Henslee.

In addition to their attacks on Henslee, the defense has bolstered up its affidavits from Sparta, Ga., by submitting affidavits as to the moral character and honesty of the Hancock county citizens who accused him of saying that he believed Frank guilty of murder.

Story From Valdosta.

The story from Valdosta follows:

Valdosta, Ga., October 8.—(Special.) The state will not be ready with its answers to the motion for a new trial in the case of Leo M. Frank set for next Saturday in Atlanta. Solicitor Hugh M. Dorsey and his assistant, E. A. Stephens, who are now busily engaged in this city in revising the evidence and the grounds for a new trial, stated tonight that it will be impossible for them to go over the voluminous evidence by Saturday.

They have been putting in long hours this week on the work but so far have checked over only a small portion of the testimony.

Messrs, Dorsey and Stephens came to Valdosta to escape the natural interruptions of the work which would have been encountered in Atlanta, and have been able to make much greater progress thereby. They are occupying the offices of Judge W. E. Thomas in the county courthouse while the latter is out of the city, where they have every facility for their work including access to the judge's library.

Mr. Dorsey is tonight informing Judge L. S. Roan of his inability to be ready for the hearing on Saturday and unless the judge requires his personal appearance in Atlanta on that day, it is probable that he and Mr. Stephens will remain here until they have completed the state's answers. Mr. Dorsey declines to discuss the case further than relates to his work in preparing for the hearing.
